



MINISTRY OF LABOUR

Ocean Shipowners' Tally Clerks

Report of a Committee appointed by the
Minister of Labour on the 18th October, 1960
to consider the difficulties which have
arisen in the Port of London



LONDON

HER MAJESTY'S STATIONERY OFFICE

1960

ONE SHILLING NET

Report of a Committee appointed by the Minister of Labour on 18th October, 1960 to consider the difficulties which have arisen in the Port of London concerning Ocean Shipowners' Tally Clerks.

TO THE RIGHT HONOURABLE JOHN HARE, O.B.E., M.P.,
Minister of Labour.

Sir,

On the 18th October, 1960, you appointed us in the terms of the following Minute :

"THE MINISTER OF LABOUR hereby appoints :—

Mr. Hugh Lloyd-Williams, C.B.E., D.S.O., M.C.,

Mr. Alan T. Osmrod, B.Sc.Tech., and

Mr. A. G. Tomkins, C.B.E.,

to be a Committee to consider the difficulties which have arisen in the Port of London concerning Ocean Shipowners' Tally Clerks, and to report.

THE MINISTER further appoints Mr. H. Lloyd-Williams to be Chairman, and Mr. A. H. Dangerfield of the Ministry of Labour to be Secretary, of the said Committee.

Signed by order of the Minister of Labour this 18th day of October, 1960.

C. H. Sisson,
Assistant Secretary,
Ministry of Labour."

Introduction

Our appointment was occasioned by a protracted unofficial strike of tally clerks in the Port of London which ended on the 17th October.

The parties principally concerned in the difficulties which you have charged us to consider are the London Dock Labour Board, the trade unions to which the tally clerks belong and the tally clerks themselves.

We met in public in Holborn Town Hall on the 25th and 26th October, and heard evidence from Mr. G. E. Tonge, C.B.E., Chairman, and Mr. T. M. Cronin, Deputy Chairman, of the London Dock Labour Board; from Mr. A. Terry and Mr. W. A. Gillman, of the Transport and General Workers' Union, and Mr. A. E. Aytward, of the National Amalgamated Stevedores and Dockers; and from Mr. T. Roffey, chairman of the tally clerks' unofficial strike committee, and three of his colleagues.

We also heard submissions by Mr. M. R. Haddock, O.B.E., General Manager and Secretary of the National Dock Labour Board; Mr. A. J. M. M. Crichton, Chairman of the National Association of Port Employers; Mr. D. A. Lloyd, Chairman of the London Shipowners' Dock Labour Committee; and Mr. M. R. Payne, General Manager of the Thames Stevedoring Company.

In addition, we received letters or verbal offers of assistance from organisations of traders whose interests had been affected by the stoppage and from an individual working tally clerk.

We have met in private on a number of occasions subsequent to the public hearings, in order to consider our Report.

Background

The Dock Workers' (Regulation of Employment) Scheme, often referred to as the "Dock Labour Scheme", was introduced in 1947 by your predecessor, Mr. George Isaacs, under powers conferred upon him by the Dock Workers' (Regulation of Employment) Act, 1946. The Scheme is therefore a statutory scheme.

The objects of the Scheme are defined as "to ensure greater regularity of employment for dock workers and to secure that an adequate number of dock workers is available for the efficient performance of dock work". Responsibility for the administration of the Scheme is laid upon a National Dock Labour Board, with certain functions delegated to Local Dock Labour Boards established in each port, or group of ports, to which the Scheme relates.

In this Report we shall be mainly concerned with one Local Board, namely the London Dock Labour Board. It is, however, important to be clear at the outset about certain of the functions with which Parliament has charged the National and Local Boards. Among the functions assigned to the National Dock Labour Board are those of "ensuring the full and proper utilisation of dock labour for the purpose of facilitating the rapid and economic turnaround of vessels and the speedy transit of goods through the port," regulating recruitment and entry of dock workers into the Scheme, and determining and keeping under review in consultation with Local Dock Labour Boards the size of the registers and the increases or reductions to be made in them. The Scheme expressly charges the National Board with the duty of delegating to Local Boards as many of its functions as

possible. Specifically, the Scheme provides that a Local Board is to be responsible to the National Board for, among other matters, "keeping, adjusting and maintaining the register or record of dock workers" for its port.

The unofficial strike of tally clerks in the Port of London which began on the 20th September, 1960, and ended on the 17th October following, and which caused such extensive damage to the economic life of the port and of the country, was a strike against a decision of the London Dock Labour Board to invite volunteers from within the industry, with a view to transferring 50 of those applicants found suitable, after going through the normal process of selection, to the tally clerks' sub-register. In other words, the strike was a strike against a proposed adjustment of the register designed to meet a critical situation which had developed in the balance of the port's labour force. It is therefore inescapable that, whether or no there were extenuating circumstances, the strike was a strike against the exercise by the London Board of a duty laid upon it by Parliament.

We think it right that the constitutional position should be made clear thus early in our Report, since it is fundamental to the consideration of the difficulties required of us.

There is one further matter which must be borne in mind in any consideration of these difficulties. The Dock Labour Scheme represents an important experiment in joint management. Each of the Local Dock Labour Boards is composed of an equal number of employer and trade union representatives. A decision of a Dock Labour Board is therefore a joint decision made by duly accredited representatives of both employers and workers. It follows that resistance to such a decision by any section of workers will generally involve those workers in a conflict with the instructions of their union. The recent unofficial strike of tally clerks was a clear instance.

The Ocean Shipowners' Tally Clerks

The Ocean Shipowners' Tally Clerks are peculiar to the Port of London, where they enjoy a separate section of the register. They work almost solely for ocean shipowners and their contractors, or for cargo superintendents in the ocean trade. Except to a strictly limited extent in a supervisory capacity as charge checkers, they do not work, and cannot under present arrangements be directed to work, in any other trade, such as the coastal or short sea trade.

The functions of the tally clerks are, in broad terms, the checking and measuring of cargo. These may vary, we were told, from a simple tally to quite extensive documentation of a ship. In other Scheme ports these functions are performed, for all types of vessel and cargo, either by registered checkers who are not available for other forms of dock work, or by registered dockers with the necessary experience, generally known as docker-checkers, who can be employed on cargo handling or other dock duties when there is no checking work available for them to do. In the London coastal and short sea trades checking is done by docker-checkers drawn from the docker and stevedore sections of the register. Docker-checkers are also employed by wharfingers, the Port of London

Authority, etc. In the London ocean trade, tally clerks may not be supplemented by docker-checkers until every available tally clerk throughout the port (which, so far as the ocean trade is concerned, extends from Tilbury to within almost a mile of Tower Bridge) has been placed in employment.

The special position enjoyed by the tally clerks is one which the London Dock Labour Board inherited when it took office in 1947. However, under the Dock Labour Scheme the status of tally clerks is no different from that of any other registered dock workers. They have the same responsibilities towards the Scheme as the rest of the workers in the docks. Correspondingly, their rights are no greater. We think they have been reluctant to recognise this fact, particularly in view of the advantages they enjoyed over other dock workers before the Scheme was introduced, and have continued to regard themselves as a higher and superior group apart from their fellow dock workers.

We think also that the tally clerks have not yet grasped the fundamental principle that a decision taken by the London Board in pursuance of responsibilities placed upon it by Parliament has to be complied with—even if the tally clerks themselves are sincerely and honestly convinced that the decision is not justified.

Events Culminating in the Recent Unofficial Strike by the Tally Clerks

In the last quarter of 1959 shortages in the tally clerks' sub-register began to manifest themselves. By the end of the year a more general shortage of labour in the port was becoming apparent. In January of this year it became clearly necessary for the London Board to increase its register. Accordingly, by the end of February 280 dockers and stevedores* were added to the register.

No tally clerks had been recruited since the end of 1955 and their numbers had fallen from 1,748 in 1956 to 1,522 in January, 1960, by which time shortages were becoming acute. However, it was not until towards the end of February of this year that the London Board, aware of the climate of opinion amongst the tally clerks, authorised the recruitment of 30 clerks, selection of whom was completed about one month later.

In March and early April a further 325 dockers were recruited, followed at the end of April by 34 tally clerks. Between May and August 690 dockers and 90 tally clerks were recruited. But the labour shortages continued to be serious and on the 5th September the Board decided to recruit an additional 225 dockers. At the same time, with a view to alleviating the parallel shortage of tally clerks, the Board invited volunteers from amongst those men who had been regularly performing docker-checker duties, 50 of whom, after undergoing the usual selection procedure, would be transferred to the tally clerks' sub-register. It was following this decision of the Board that the tally clerks withdrew their labour on the 20th September.

* Stevedores are members of the Stevedores Section of the National Amalgamated Stevedores and Dockers. They are held on a separate section of the London register but for purposes of this Report are otherwise indistinguishable from dockers. We shall therefore generally use the term docker (and docker-checker) to cover both dockers and stevedores.

It is appropriate to note at this point that on the 4th October you made a public announcement of your intention to set up a Committee to consider the tally clerks' difficulties as soon as normal working in the Port had been resumed. Later in the same day you announced the terms of reference of the proposed Committee. As a further earnest of your intentions, on the 6th October you announced the names of the members whom you would appoint to the Committee. Nevertheless, the unofficial strike continued until the 17th October, with the result that deep sea trade of the Port of London was virtually at a standstill for a period of almost four weeks.

The Tally Clerks' Case

The essence of the case which the tally clerks presented to us was that further recruitment to their sub-register was not justified, at least until after the holiday period at the end of September, before which time it would not be possible to assess the true future requirements of clerical labour; that the shortage of tally clerks was temporarily and artificially exaggerated because of the diversion of additional trade to London occasioned by the seamen's strike and because of abnormally heavy imports of timber consequent upon the late thawing of the Baltic, and because, too, of the practice of some employers of over-indenting for tally clerks in times of shortage; that the employers, by allowing some 440 tally clerks to be engaged on a weekly basis (as opposed to the more normal daily basis), were not making the most economical use of the clerical labour; that in any case recruitment ought always to be on a gradual basis, since large-scale recruitment in 1951 and 1955 had been followed by large-scale unemployment; that the tally clerks ought to be directly represented on the London Dock Labour Board and that, if they had been, no transfers would have been authorised on the 5th September and in consequence there would have been no strike; and that, at the very least, the Ocean Shipowners' Tally Clerks Joint Consultative Sub-Committee should be made an "authoritative" body.

At this stage all we would wish to say about these contentions is that the London Dock Labour Board was well aware of all the factors enumerated—and of many others also—and had in addition made itself fully conversant with the views of the tally clerks, before taking the decision on the 5th September to issue a general invitation within the industry, with a view to the transfer to the tally clerks' sub-register of 50 volunteers from amongst those who had been regularly performing docker-checker duties.

Whatever the merits or demerits of the case the tally clerks presented to us, it is only fair to record that their cause was argued clearly and with courtesy.

The London Dock Labour Board

The London Dock Labour Board is, as we have already indicated, the statutory body responsible, within ceilings set by the National Dock Labour Board, for keeping, adjusting and maintaining the register for the Port of London. Its decision on the 5th September to transfer 50 volunteer docker-checkers to the tally clerks' sub-register was, therefore, perfectly

proper and should not have been open to challenge; indeed the Board has a clear duty to make such adjustments in its register as it considers necessary.

Since, however, the decision was challenged, by unofficial action on the part of the tally clerks, it may not be out of place to consider the composition of the Board, especially of that part of it which represents the interests of the workers, and to make an assessment of the Board's capacity to arrive at decisions which are sound in the light of all the information obtainable.

The London Board has ten members, five of whom represent employers' interests and five workers' interests. The Chairman at present is an employer member and the Deputy Chairman a senior official of the Transport and General Workers' Union. Decisions of the Board are generally unanimous. In fact, one of the refreshing aspects of our inquiry was the picture which emerged of the London Board working together as a whole for the benefit of all interests in the port.

The employer members this year include the Chairman of the London Port Employers, the Deputy General Manager of the Port of London Authority, the Chairman of the London Master Stevedores' Association, the Chairman of the London Shipowners' Dock Labour Committee and the Vice-President of the Association of Master Lightermen and Bargeowners. It can, therefore, fairly be said that the employers' representatives are men of experience and authority, and that between them they possess a wide fund of knowledge and experience of the port and its workings.

A word about the trade union membership of the Board is especially important because the tally clerks consistently claimed that it was the "employers" who sought to overload their sub-register and that it was the "employers" whose demands had to be resisted. The implication seemed to be that the trade union members of the Board were unable or unwilling to stand up to the employers. In fact, nothing could be further from the truth; the trade union representation is particularly strong. We ourselves were greatly impressed by the Board's Deputy Chairman, who addressed us; in addition to him and one other senior official of the Transport and General Workers' Union, the trade union membership of the Board includes the General Secretary of the National Amalgamated Stevedores and Dockers, the General Secretary of the Watermen, Lightermen, Tugmen and Bargeowners' Union, and a working docker (lay delegate) belonging to the Transport and General Workers' Union. All four trade union officials were registered dock workers before becoming full-time officers of their unions. It would be ridiculous to suppose that any body of employers could ride roughshod over a team of this calibre, nor do we think that the present employer members of the London Board would even wish to attempt anything so foolish.

But however competent its membership, both individually and in sum, the Board would be failing in its duty unless it possessed itself of the best information obtainable before arriving at decisions affecting the size of the register or of its component parts. We are quite satisfied that the Board does, in fact, have access to and makes proper use of such information. Its own staff keeps a wealth of detailed statistics which stretch back

over many years, so that comparisons can at any time be made with similar situations and sets of circumstances in the past. At its first meeting in every month the Board regularly reviews the trade prospects and the labour situation. Members of the Board, either as such or in other capacities, meet trade associations and obtain views about the likely future level of trade; they meet shipping interests and learn what traffic is expected to be entering and leaving the port; they have direct contact with the Chairman of the Transportation Committee of the London Chamber of Commerce; and, through the lay delegate and the trade union officials, the Board is kept constantly informed of the views, opinions, apprehensions and wishes of the dock workers. In short, the Board is a focal point for the collection of facts and figures and opinions, and in this respect is cannot be rivalled by any other body or organisation. It is regrettable that the tally clerks should evidently have thought they were better placed than the Board to assess the requirements of their sub-register.

The tally clerks contended that in 1951 and 1955 the Board's forecasts of future requirements of clerical labour in the ocean trade had been wrong and that large-scale recruiting in those years had on both occasions been followed by large-scale unemployment. No statistics were produced in support of these contentions. On the other hand, no figures were produced to refute them. We therefore assume that the contentions were not without some substance. It must of course be recognised that forecasting of future trade trends can never be an exact science, and that miscalculations can happen. The unexpected can never be wholly guarded against. This does not alter the fact that the Board is in a position to make a better forecast than are the tally clerks. The most careful calculations may be upset by, for instance, the sudden decision of another country to restrict its imports from Britain. Calculations can also be upset by unofficial strikes, which bring a port into disrepute and, because of the delays which they cause, inevitably lead to a diversion of trade. And although the precise extent can never be properly calculated, delays and stoppages cause loss of export orders, and hence loss of work for the port. In this connection it is perhaps not irrelevant to mention that the tally clerks themselves seem to have put up prolonged resistance to recruitment in 1951, culminating in an unofficial strike. This suggests to us that they may have been a cause of congestion in the port extending over a period of some months. If so, the consequential diversion of trade and loss of orders may have contributed in some measure to their own subsequent unemployment of which they complained.

We cannot leave this topic without remarking that the size of an industry's labour force cannot be restricted by fear of every possible adverse future contingency. Were such a fear to be the governing factor, no expansion would ever take place. It would be as if, for example, a manufacturer were to refuse increased orders in one year on the grounds that he could not be certain his order books would be equally full in the following year. We are not economists, but it would seem to us that such a policy could lead only to stagnation of trade and, in the long run, to unemployment amongst large sections of people in industry.

The basic cause of the tally clerks' strike was a desire to keep for their labour a high scarcity value. At the same time, some of them, we feel

sure, were actuated by a genuine fear that an increase in their sub-register would result in unemployment at a later date. We would remind these latter that it is not the desire of either the employers or the trade unions that the Board should have a surplus of labour. The trade union representatives on the Board would not want to see their members short of work because of a surplus and compelled to fall back on the guaranteed wage (at present just over £7 a week). So too the employers, who have to find the money for the guaranteed wage, would not relish paying men for doing nothing. It is in the very nature of things, therefore, that the Board is bound to approach the question of an increase in the register with caution, and no increase would be authorised until the Board was convinced of the need for one.

The tally clerks pressed strongly before us, as they had before the Devlin Committee, that they should be directly represented on the London Board, pointing out that all three Transport and General Workers' Union members of the Board belonged to the Docks Group of that Union, whereas they, the tally clerks, belonged to the Administrative, Clerical and Supervisory Group. The way in which the Transport and General Workers' Union arranges its representation on the London Board is not our concern and is a matter for the Union itself to determine. Since, however, the tally clerks number some 1,660, not all of them members of the Transport and General Workers' Union, and since the total labour force of the port, the majority of which does, we understand, belong to that Union, numbers about 29,000, we may perhaps be permitted the comment that the Union's present arrangements for representation on the Board seem not unreasonable. The tally clerks may, however, have intended to suggest alternatively that the Board should be enlarged to accommodate an extra member directly representing them. We must firmly reject any such suggestion. As we have already pointed out, the status of the tally clerks under the Dock Labour Scheme is no different from that of any other dock workers. If the membership of the Board were to be so re-arranged that there was one representative for every 1,660 workers, there would have to be a total of some 17 or 18 workers' representatives. Since the Scheme provides that there shall be an equal number of employers' and workers' representatives, the Board would have to be increased to a size which would make it totally unworkable.

The tally clerks are not the only minority group in the port. Corn porters and deal porters also were mentioned, and it was said that relationships between them and the Board were happy. There are other minority groups, too, notably within the Watermen, Lightermen, Tugmen and Barge-men's Union. So that without enlarging the size of the Board unduly it would not be possible for specialist minorities to be directly represented, even if it were conceded that they should be allowed representation to which numerically they were not entitled. In our view the tally clerks' interests, like those of other minority groups, are already well looked after under the existing arrangements for representation of the interests of all the port's registered workers. The trade union members of the London Board, both individually and collectively, represent the workers as a whole, not one particular section of them, and we are sure that those members

of the Board who belong to the Transport and General Workers' Union and to the National Amalgamated Stevedores and Dockers regard it as their duty to represent the views and interests of tally clerks and other minorities as much as of dockers and stevedores. We have no doubt that they discharge this duty faithfully and that the interests of the tally clerks are in fact as well represented at the Board as those of any other section of workers. We could perhaps go further and say that, by reason of the special consultative machinery which the tally clerks enjoy, and to which we shall be alluding shortly, the views of the tally clerks receive particular consideration.

The contention of the tally clerks that no further recruitment should have been authorised for their sub-register until after the end of September will not bear close scrutiny. The holiday period in the London docks extends from May to September, and during this period, it was agreed, an average of 130 tally clerks would be absent on holiday at any one time. It is not the Board's policy to recruit a labour force of such a size that there is no labour shortage at all during the holiday season; to do so might lead to considerable labour surpluses, and hence unemployment, during the remainder of the year. As we have already explained, a labour surplus is unwelcome to both the employer and trade union members of the Board. During the summer of 1960, however, the shortages of tally clerks markedly exceeded the figure of 130 who could be presumed to be on holiday, even after taking into account the possibility that, as claimed by the tally clerks, the figures of shortages were inflated due to over-indenting on the part of some employers, diversion of trade occasioned by the seamen's strike and abnormally heavy imports of timber consequent upon the late thawing of the Baltic. It became therefore the duty of the Board to increase the size of the tally clerks sub-register. They did so on a number of occasions, starting in February, but always with great caution and, as it seemed to us, rather late. In fact the one criticism we have of the Board in all this matter is that it has, we think, been over-sensitive to the views of the tally clerks and during this year has tended to do too little too late when increases in the sub-register were clearly required. We appreciate the reasons for the Board's extreme caution, but the Board has a statutory duty to perform in maintaining an adequate and balanced register, and we do not think it should allow itself to be deterred from that duty by threats. In the event, because the Board had hesitated to authorise further recruitment to the tally clerks' sub-register at its July meeting, when increases were clearly called for, it found itself at its September meeting faced with a situation of such urgency that it was compelled to depart from the usual method of recruitment. That is to say, instead of an equal number of names being submitted to the Tally Clerks' Joint Selection Sub-Committee by the employers on the one hand and the unions on the other, a process involving delays, the Board decided to invite volunteers from within the industry to submit their own names, with a view to undergoing the usual selection procedure. As a matter of interest, there were 187 applicants for the 50 additional places on the tally clerks' sub-register, although 38 of the applicants, out of loyalty to the tally clerks on strike, failed to present themselves to the Selection Sub-Committee for interview. The action of the London Board in calling for volunteers from amongst docker-checkers was fully endorsed by the National Board.

By way of explanation of the London Board's hesitancy over the recruiting of tally clerks, we ought to say that we have been left in no doubt that the tally clerks have regularly, over the years, resisted the establishment of an adequate sub-register by all means in their power, including consistent delaying tactics, threats and, in the last resort, unofficial strikes. Some of them, as we have said, may have been actuated by genuine fears of unemployment, and it is natural for such men to do all they reasonably can to protect their future employment. The tally clerks, however, have gone a good deal further than that. By their resistance to recruitment and by maintaining a scarcity of clerical labour in the ocean trade they have prejudiced the piecework earnings of their fellow dock workers in that trade, to say nothing of prejudicing the export and import trade of the country as a whole. This may fairly be described as selfish. Indeed extracts which were placed before us of minutes of meetings of the Ocean Shipowners' Group Joint Committee clearly indicated that the dockers this summer became restive at having continually to cushion the tally clerks. At one of those meetings reference was made, by a trade union representative, to the acute shortage of tally clerks and "to the unfair use of (docker-)checkers taking up the slack, so that the clerks could be guaranteed full employment throughout the year". We sympathise with these sentiments. But the conduct of the tally clerks went even beyond the bounds of selfishness when they resorted to unconstitutional methods of resistance, in defiance of agreements freely negotiated on their behalf, by coming out on unofficial strike against the exercise by the London Board of one of its statutory functions. Their action in so doing prejudiced much more than the piecework earnings of their fellow workers in the ocean trade, causing a large proportion of them to have to fall back on their guaranteed wage, as well as causing incalculable harm to the trade of the port as a whole and generally.

In order finally to emphasise the care which the London Board takes to acquaint itself with the views of the tally clerks before arriving at any decision affecting their sub-register, we think you should know of the special consultative facilities which the tally clerks have enjoyed for the last nine years. Consultation on matters such as recruitment normally starts at the level of the appropriate Group Joint Committee, these Committees being subordinate to the Port Labour Executive Committee, which in turn is subordinate to the National Joint Council for the Port Transport Industry. The tally clerks, however, have since 1951 had a special consultative sub-committee of their own, being a sub-committee of the Ocean Shipowners' Group Joint Committee. No other section of workers in the port enjoys a similar privilege. On the Ocean Shipowners' Tally Clerks Joint Consultative Sub-Committee the tally clerks are represented not only by an official of each of the two unions, but also by one lay delegate (that is, a working tally clerk) from each of the two unions. Although the London Board is under no obligation whatsoever to consult this sub-committee, it almost invariably does so, through the parent Group Joint Committee, before taking any decision concerning tally clerks. If a unanimous view cannot be obtained from the sub-committee, then the separate views of the two sides are duly forwarded to the Board. It cannot therefore be said that the Board is ill-informed of the views of

the tally clerks. Quite the contrary. In an industry where the management of labour is by statute placed in joint hands, such a degree of consultation concerning the affairs of a small section of workers struck us as highly significant. The tally clerks nevertheless complained before us that their views were insufficiently consulted by the Board. It was apparent, though they did not actually say so, that they viewed the word consultation as embracing negotiation—a view which they have been unable to find anyone else to share. Their demand that the consultative sub-committee should be made ‘authoritative’ indicated the lines on which they were really thinking, i.e. that the sub-committee should have powers of veto in the matter of recruitment. This of course would mean delegating to the sub-committee powers which are by statute vested in the London Board. Aside from the fact that the London Board cannot divest itself of or assign its responsibilities in this or any way, the conception is in itself fundamentally unsound in that it presupposes the sub-committee to be better able than the Board to assess the port’s requirements of labour. We have already indicated that we think the Board to be in an unrivalled position to make informed assessments. We think that if the tally clerks are not prepared to accept the sub-committee within the limited purpose for which it is intended, namely as a forum for the exchange of views, but persist in seeking to enlarge it into a negotiating body, then it will have to be seriously considered whether the sub-committee continues to serve a useful purpose.

The Attitudes of the Trade Unions to which the Tally Clerks belong

Some 450 of the tally clerks belong to the National Amalgamated Stevedores and Dockers (N.A.S.D.). We understand that almost all the rest, that is some 1,200, belong to the Transport and General Workers’ Union (T. & G.W.U.).

The General Secretary of the N.A.S.D. and two senior officials of the T. & G.W.U. were, as members of the London Board, parties to the decision on the 5th September to increase the sub-register of tally clerks. Both unions duly gave full support to and stood by the decision of the Board.

In this part of our Report we want only to comment briefly on what was said before us by those who spoke for the unions as such, and whose business it is as union officials to represent directly from day to day the interests of the tally clerks. Whilst deploring the strike, and the industrial indiscipline which it represented, spokesmen of both unions endeavoured, as one would have expected, to represent the tally clerks in as favourable a light as possible.

Both of the spokesmen for the T. & G.W.U. belong to the Clerical, Administrative and Supervisory Group of that Union, one of them being the senior official of the Group for the Union’s No. 1 Region (roughly, London and the Home Counties) and therefore representing members of his Union in a wide variety of industries, whilst the other is, we understood, concerned only with docks. They traced for us the difficulties which the tally clerks have presented for them over the years, and in particular how, in an attempt to solve this difficult problem, the late Mr. Arthur Deakin had intervened in 1954—an intervention which it was hoped

would allay once and for all the fears of the tally clerks about the adequacy of their union representation. Unfortunately, only a short time later the tally clerks, in the matter of their special consultative sub-committee which we have already described, had to be officially reminded by their Group of the Union that "there is a vast difference between consultation and negotiation". Every effort has, in fact, been made to point out to the tally clerks the dangers of abusing the use of their consultative sub-committee and to induce them to leave their problems in the hands of their officially accredited union representatives. That these efforts have failed is unhappily only too plain, but we do not think that failure has been due to lack of effort or goodwill on the part of the Union officials concerned. The Union spokesmen, did, however, inform us that their Group's policy included support for the claim that the Ocean Shipowners' Tally Clerks Joint Consultative Sub-Committee should be given authoritative powers and support for the policy of continuing to seek direct representation for the tally clerks on the London Board. We have already made clear our views on both these points.

The spokesman for the N.A.S.D., whilst not in any way condoning the unofficial strike, was rather stronger in his defence of the tally clerks, and dwelt at more length on their alleged fears and grievances. He was particularly critical of the departure from the usual method of recruitment which had been authorised by the Board on the 5th September, and thought that here the tally clerks had legitimate grounds for grievance. (In passing, the chief spokesman for the tally clerks also made considerable play of this grievance, although subsequently admitting that the decision to recommend a stoppage, in the event of any further recruitment being authorised, had been taken on 8th August—that is, some four weeks in advance of the London Board's decision to recruit, and before the question of method of recruitment had arisen.)

Spokesmen for both unions emphasised, and sympathised with, the opposition of the tally clerks to the engagement of clerks on a weekly as opposed to a daily basis. We understand that about 440 clerks out of the total of 1,660 are at present engaged as weekly workers. This arrangement is a purely voluntary one entered into by individual clerks with individual employers. In its defence it can be said that it is an arrangement which helps to promote one of the declared objects of the Dock Labour Scheme, "to ensure greater regularity of employment for dock workers"; that it gives a better opportunity for the personal employer/employee relationship which is difficult to achieve with casual workers; that it assists in efficiency of working; and that, since it is voluntary and desired by both parties in each case, it should not be impeded. We did not hear the views of a weekly worker, but the tally clerks, and the union spokesmen, who addressed us on the matter were all opposed to the system. Their opposition is based on the claim that employment on a weekly basis does not make the best use of the limited resources of tally clerks available and tends to accentuate and exaggerate the shortage of clerks. This is because a tally clerk engaged on a weekly basis may occasionally be sent home for a day, or part of a day, when his employer has no further work for him to do; on the same day other employers in the port may be unable to obtain their requirements of tally clerks; to this extent the system is wasteful. The

London Board has on occasion not encouraged further engagement of tally clerks on a weekly basis, partly, we suspect, out of deference for the rather strong feelings on the subject among tally clerks. Our own view is that, despite the obvious advantages of weekly engagements to both employer and worker, the system must impose some restriction on the availability and mobility of a type of labour that is at present in very short supply; there is too the possibility that large numbers of weekly workers might be sent back to the casual pool at short notice, although we were assured that this had never, in fact, happened.

The final comment that we would like to make in this section of our Report is that we have been completely satisfied that officials of both unions have fully and repeatedly explained to their tally clerk members the constitutional position and the paramount statutory authority of the London Board in matters of recruitment.

Conclusions and Recommendations

We can find little or nothing to say in defence of the conduct of the tally clerks in withdrawing their labour on the 20th September, even if it be conceded that some of them, including some of their unofficial leaders, were motivated by the fear of unemployment in the future. Their action in coming out on strike was a direct challenge to the statutory authority of the London Board—a challenge which they should have known would be resisted and would avail them nothing. Moreover, their action was taken in defiance of the instructions of their unions and in complete disregard both of negotiated agreements and of the interests of their fellow workers in the port. It was perhaps too much to expect that an obdurate minority of this kind should initially take into consideration the broader national interest or the interests of registered dock workers as a whole; nor evidently did the tally clerks pause to reflect that an unofficial stoppage gives a port a bad name and results in diversion of trade, some of which never returns, to the general disadvantage of all of the port's workers. Indeed the very thing which the tally clerks said they were seeking to avoid, that is unemployment amongst their numbers, is in the long run made the more likely, not the less likely, by a stoppage which causes a proportion of the trade of the port to find other channels.

We have been unable to see that the tally clerks had any valid or reasonable grounds for grievance. The industry's conciliation machinery, established by and functioning under the terms of joint agreements, was at all times open to them, and their action in striking was deplored even by those, apart from the tally clerks themselves, who endeavoured to champion their cause before us. That they should have persisted in their deplorable conduct for almost two weeks after you had promised them an investigation, they well knowing by then the loss of earnings being suffered by their fellow workers, the damage being caused to the reputation of the port and of their unions, the injury being done to the trade of the port and to the trades dependent upon the working of the port, and the incalculable damage being inflicted upon the economy of the whole country, was nothing less than wanton and called for unqualified condemnation.

But though serious damage has been done, we think it is not irreparable, particularly if a conscious effort is now made by all concerned to restore the port's good name. From evidence which we heard, it was made clear that there has for some time past been a general shortage of labour in the port. Once the immediately limiting factor, in the ocean trade at any rate, of shortage of tally clerks has been alleviated—as to which we shall make some suggestions in a moment—and once the backlog of work occasioned by the strike has been cleared, a special effort will, we think, be necessary to re-establish London's reputation. If too much trade is not to remain diverted as a consequence of the strike, and if the confidence of British exporters and importers and of foreign shippers is to be restored, and new trade is to be attracted to replace that which has been lost, then the port must win a reputation for the speedy handling of cargo and the rapid turnaround of vessels.

In marked and happy contrast to the irresponsible conduct of the tally clerks, we have been greatly impressed by the high sense of responsibility and moral courage displayed by a number of trade union officials, particularly those who are members of the London Board, in circumstances which, for some of them at any rate, were difficult in the extreme. It was evident to us that the trade union members of the London Board fully appreciate their dual role as both representatives of the workers and an element of management, and are determined faithfully to discharge both obligations. We believe that they have done so, and in the consciousness that failure so to do could jeopardise the whole future of the Dock Labour Scheme which, as we have said, is an important experiment in management jointly by employers and workers. But the Scheme can still be wrecked by irresponsible unofficial action on the part of the workers themselves. This fact seems to have been well recognised by other trade union officials also, and great efforts were made to induce the tally clerks not to withdraw their labour and later, when they had done so, to get them to return to work.

It was made clear to us that both the Transport and General Workers' Union and the National Amalgamated Stevedores and Dockers are anxious that the essential characteristics of the Dock Labour Scheme should remain unimpaired. We share their concern, and hope that the threat which unofficial strikes present to the future of the Scheme and to the interests of the workers themselves will be appreciated by dock workers everywhere.

You did not specifically require us to make recommendations which might assist in preventing a recurrence of the recent troubles. We have assumed, however, that you would wish us to do so if we felt able. Having given long and anxious thought to the many problems, perplexities and fears inherent in the situation which culminated in the start of the unofficial strike on the 20th September, we think we may be in a position to offer a few helpful suggestions. We believe that these suggestions, if acceptable to the Boards in whom the statutory responsibility rests, might go some way towards ensuring the smoother working of the port, whilst at the same time safeguarding the legitimate interests both of the tally clerks and of their fellow workers. An adequate and balanced labour force in the Port of London is essential. We think it is essential not only to

the prosperity of the country as a whole but also, in particular, to the well-being of all those who gain their livelihood by the port. It is with these considerations in mind that we make the following recommendations:—

- (a) We suggest that there should be established, in addition to the tally clerks' sub-register, a separate checkers' sub-register, similar to those already existing in other major Scheme ports, whose members would be available for checking duties in any trade, including the ocean trade. Responsibility for determining the size of this sub-register, and the method of recruitment to it, would rest with the London Board in accordance with its existing statutory powers. In this connection, we see no reason why any special consultative machinery, over and above that already existing for the generality of registered workers in the port, should be needed. Preference for inclusion in the sub-register might be accorded to registered port workers, and in particular those who are not fully fit physically, always provided that they have, or by training can acquire, the necessary qualifications and ability to perform the work efficiently.

The new sub-register could be expected to absorb a number of the docker-checkers at present regularly employed on checking duties in the coastal and short sea trades, as well as others similarly employed by wharfingers, the Port of London Authority, etc., and no doubt also some of those who regularly supplement the tally clerks in the ocean trade.

- (b) Members of the tally clerks' and checkers' sub-registers should, we suggest, be allocated by the London Board to specified Sectors, such allocations being thereafter changed only on the instructions of the Board. Such planned allocations, and re-allocations, would enable the Board to organise the deployment of the limited resources of experienced tally clerks and checkers to the best advantage. The disadvantages of the present system, whereby the tally clerks pick and choose and change their Sectors at will, are obvious.

- (c) In Sectors 1, 3, 4 and 5 of the port, which are the Sectors handling predominantly deep sea trade, members of the tally clerks' sub-register should, as at present, be accorded first claim to checking duties in the ocean trade. But when the supply of allocated tally clerks in a Sector is exhausted, and there are none available in the immediately adjoining Sectors, members of the checkers' sub-register should be called upon. In the event of a shortage of both tally clerks and checkers, resort should be had to docker-checkers.

In the remaining Sectors, that is Sectors 2 and 6-9, first claim to checking work should be accorded to members of the checkers' sub-register supplemented, when the supply of allocated checkers is exhausted in a Sector and its neighbours, by docker-checkers.

- (d) We suggest that the London Board, in conjunction with the unions concerned, should examine the possibility of instituting a

deferred call of, perhaps, fifteen minutes for both tally clerks and checkers, by which time the number and where required will have been ascertained. We think, too, that when the tally clerks or checkers immediately available are not sufficient for the work on hand, arrangements should be made to enable gangs to start work with docker-checkers, without prejudice to the later arrival and taking over of the work by a registered tally clerk or checker. Both these measures would, we believe, help to obviate what we understand sometimes happens at present, when gangs are left standing idle without checkers and checkers without gangs, often to the detriment of the piecework earnings of the gangs.

- (e) Notwithstanding anything we have said in the preceding paragraph, we are of opinion that when a docker-checker has been employed as such for a full "turn" (that is, for a complete four-hour period) the normal continuity rule should be applied to him. The replacement of a man who has done a full turn on a particular job can lead only to loss of time and efficiency; moreover, we believe that in these circumstances it is only fair to the man himself that he should be allowed to see the job through.
- (f) Finally, whilst the present shortage of clerical labour in the ocean trade persists, we would recommend that no further tally clerks be engaged on a weekly basis, except in cases where an employer is willing to guarantee a minimum of six months' continuous employment.

In conclusion we wish to record our indebtedness to the Secretary. His hard work, his knowledge and his competence throughout our transactions and in the preparation of this Report have been of the greatest assistance to us.

We have the honour to be, Sir,

Your obedient Servants,

HUGH LLOYD-WILLIAMS (*Chairman*).

ALAN T. ORMROD.

A. G. TOMKINS.

A. H. DANGERFIELD (*Secretary*).

25th November, 1960.

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